

1 [SEE SIGNATURE BLOCK FOR COUNSEL]

2

3

4

5

6

7

8

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

11 GOOGLE INC., AOL LLC, YAHOO! INC.,  
IAC SEARCH & MEDIA, INC., and  
12 LYCOS, INC.,

13 Plaintiffs,

14 v.

15 L. DANIEL EGGER,  
SOFTWARE RIGHTS ARCHIVE, LLC, and  
16 SITE TECHNOLOGIES, INC.,

17 Defendants.

CASE NO. CV 08-03172-RMW

**STIPULATION AND [PROPOSED]  
ORDER GRANTING JOINT  
ADMINISTRATIVE MOTION FOR  
LEAVE TO FILE OPPOSITION AND  
REPLY BRIEFS CONTAINING  
ADDITIONAL PAGES**

19

20

21

22

23

24

25

26

27

28

STIPULATION AND [PROPOSED] ORDER GRANTING  
JOINT MOTION FOR ADMINISTRATIVE RELIEF  
CASE NO. C-08-03172-RMW

## **STIPULATION**

2 Subject to the approval of this Court and pursuant to Civil Local Rule 7-11, IT IS  
3 HEREBY STIPULATED by and between Plaintiffs and Defendants, through their respective  
4 counsel of record, as follows:

5 i) Plaintiffs may file a brief in opposition to Defendants' Motion to Dismiss, Transfer  
6 or Stay Under the First-To-File Rule, Under Rule 12(b)(2) For Lack of Personal Jurisdiction, and  
7 Under Rule 12(b)(1) For Lack of Subject Matter Jurisdiction (Dkt. No. 42) (hereinafter  
8 "Defendants' Motion to Dismiss, Transfer or Stay") that contains eight additional pages of text in  
9 excess of the page limit set forth in Civil Local Rule 7-4; and

0 ii) Defendants may file a Reply Brief in Support of Defendants' Motion to Dismiss,  
1 Transfer or Stay containing eight additional pages of text in excess of the page limit set forth in  
2 Civil Local Rule 7-4.

## ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

---

THE HONORABLE RONALD M. WHYTE  
UNITED STATES DISTRICT JUDGE

---

1 Dated: April 30, 2009

Respectfully submitted,

2 By: /s/ Thomas B. Walsh, IV

3 Thomas B. Walsh, IV  
4 *pro hac vice*  
5 Texas Bar No. 00785173  
6 E-mail: walsh@fr.com  
7 Fish & Richardson P.C.  
1717 Main Street  
Suite 5000  
Dallas, TX 75201  
Telephone: (214) 747-5070  
Facsimile: (214) 747-2091

8 Juanita R. Brooks (CA Bar No. 75934)  
9 Jason W. Wolff (CA Bar No. 215819)  
FISH & RICHARDSON P.C.  
10 12390 El Camino Real  
11 San Diego, CA 92130  
12 Telephone: 858-678-5070  
Facsimile: 858-678-5099  
Email: wolff@fr.com

13 Attorneys for Plaintiffs GOOGLE INC. and  
14 AOL, LLC

15 By: /s/ Richard S.J. Hung

16 Michael A. Jacobs (CA Bar No. 111664)  
Richard S.J. Hung (CA Bar No. 197425)  
MORRISON & FOERSTER  
17 425 Market Street  
18 San Francisco, CA 94105  
19 Telephone: 415-268-7000  
Facsimile: 415-268-7522  
Email: mjacobs@mofa.com

20 Attorneys for Plaintiff YAHOO! INC.

21 By: /s/ Jennifer A. Kash

22 Claude M. Stern (CA Bar No. 96737)  
Jennifer A. Kash (CA Bar No. 203679)  
QUINN EMANUEL URQUHART  
23 OLIVER & HEDGES, LLP  
555 Twin Dolphin Drive, Suite 560  
Redwood Shores, CA 94065  
Telephone: (650) 801-5000  
Facsimile: (650) 801-5100  
Email: claudestern@quinnmanuel.com  
Email:jenniferkash@quinnmanuel.com

24 Attorneys for Plaintiffs IAC SEARCH &  
25 MEDIA, INC. and LYCOS, INC.

1 By: /s/ Jay D. Ellwanger  
2 Jay D. Ellwanger (jellwanger@dpelaw.com)  
3 Dinovo Price Ellwanger LLP  
4 P.O. Box 201690  
5 Austin, Texas 78720  
6 Telephone: (512) 681-4060  
7 Facsimile: (512) 628-3410  
8

9 Lee Landa Kaplan (lkaplan@skv.com)  
10 Smyser Kaplan & Veselka, L.L.P.  
11 700 Louisiana St., Suite 2300, Houston, TX  
12 77002  
13 Telephone: (713) 221-2300  
14 Facsimile: (713) 221-2320  
15

16 Attorneys for Defendants L. DANIEL EGGER,  
17 SOFTWARE RIGHTS ARCHIVE, LLC, and  
18 SITE TECHNOLOGIES, INC.  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## **DECLARATION OF CONSENT**

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under  
penalty of perjury that concurrence in the filing of this document has been obtained from the  
above-listed counsel for all Plaintiffs and Defendants.

Dated: April 30, 2009

/s/ Jennifer A. Kash  
Jennifer A. Kash